

Water District 27 Annual Meeting

January 10, 2011
1:00 PM
Bingham County Courthouse

Agenda

Call to Order	Larry Hinderager
Election of Meeting Chairman and Secretary	
Review and Approve 2010 Annual Meeting Minutes	
Watermaster Report	Lyle Swank and Rob Keller
Financial Report	Wendy Murphy
Election of Chairman and Advisory Board	
2011 Resolutions and Election of Watermaster	
Legal Issues Update	James Cefalo
Old Business	
New Business	
Adjourn Annual Meeting	

Additional Information

RECEIVED

JUL 06 2011

Department of Water Resources
Eastern Region

DRAFT
MINUTES OF THE REGULAR MEETING
OF THE WATERUSERS OF THE BLACKFOOT RIVER WATER DISTRICT #27
OF THE STATE OF IDAHO
HELD AT THE BINGHAM COUNTY COURTHOUSE
BLACKFOOT, IDAHO
JANUARY 10, 2011

Advisory committee chairman Larry Hinderager called the annual meeting of Water District 27 to order at 1:02 p.m. January 10, 2011.

Layne Hamilton nominated Larry Hinderager as meeting chairman, and Wendy Murphy as meeting secretary. Gary Wright seconded the motion and it was unanimously approved.

Minutes of the meeting held January 11, 2010 were presented. Dean Wright moved to accept the minutes as written; Bob Reid seconded, and the minutes were approved.

Larry Hinderager introduced the attending advisory board members: Keith Hunsaker, Gary Pratt, Larry Hinderager, Bob Reid and BIA representative, David Bollinger. Water District 1 representatives were: Lyle Swank, Watermaster; Rob Keller, Assistant Watermaster; Wendy Murphy, Secretary; and Peter Cooper. Others in attendance are Peter Shaw with the Attorney General's Office, and Alan Kelsch, Treasurer. An attached roster shows all in attendance.

Lyle Swank then presented the Watermaster Report. The main duty of the watermaster is to deliver water to those who have water rights. Others not here today that assist the water district include Jeff Baldwin, gage reader and hydrographer; and Layton Walton, summer intern. In 2010 data loggers were installed at various locations. This was also the first year of interim administration, which required some water uses to install measuring devices as well. The Water Management Plan has been worked on for the last couple of years; it lays out the plan for distribution of water and separation of Snake River and Blackfoot River water. The Blackfoot reservoir content this year is 198,400 acre-feet as compared to last year's contents of 191,700 acre-feet. This is a La Nina year for water supply that generally means colder and wetter weather. The snow pack data provided by NRCS as of October was 146% of Average, November was 122% of Average, and December was 133% of Average. Within the last 10 days the percent of Average has dropped from 132% to 116% for the Willow, Portneuf and Blackfoot Basins.

Robert Keller presented the water usage from the Blackfoot River for 2010. Fort Hall diversions amounted to approximately 235,000 acre-feet and the North Side Users diverted approximately 50,000 acre-feet. The Management Plan used in 2010 indicates a process to determine "Basin 27 Primary Volume", water usage allowed to divert ahead of the Tribes' water right 27-11375. After adjustments are made to remove Corbett Slough return flows, Snake River Water, Flood Water, and diversions when Fort Hall is not diverting (4.i of the Management Plan), the "Primary Volume" was calculated to be 31,317 acre-feet for 2010. This was the first year Interim Administration occurred based on the adjudicated water rights. With this administration some diversions were reduced for diverting above their water right, and some were turned off when their water right priority was cut or for not following the headgate order. Rob presented some

graphs outlining the weather pattern for 2010's irrigation year. Overall spring diversions were lower and later than normal due to a colder/wet spring and higher elevation snow. As temperatures escalated to higher than average during the summer/fall, diversions remained on longer. He also presented a sample of the water right accounting that is being considered for tracking water right priorities and water usage. It was indicated a majority of cuts made this year were because of the period of use limitations on their water rights.

Questions were raised about who should sign the Management Plan. Lyle indicated the current negotiators are members from the Water District 27 advisory group, the Attorney General's office, Bureau of Indian Affairs, and the Tribe. Larry Hinderager indicated that a vote was taken a year ago were the membership that authorized the advisory group to sign the Management Plan when appropriate. Dave Shaw indicated the Fort Hall Agreement had four signatories, the Tribe, the State, BIA, and the Committee of Nine. The Management Plan will have the same four signatories as well as the Water District 27 advisory group.

Wendy Murphy gave the 2010 financial report. The checking account balance as of January 7, 2011 totaled \$12,181. The Accounts Receivable balance was a credit of \$204 to be credited to water users for their 2011 assessment. The profit and loss budget comparison was presented. The 2010 income budget was \$43,500; actual income from assessments was \$43,500. Additional income was received from interest and state insurance fund for a total income of \$43,642. The Water District 1 contract was budgeted for \$35,000; actual expenditures were \$34,982. Measurement Equipment was purchased and installed this year for \$4,687, which was budgeted at \$7,000. Mileage was budgeted at \$4,000 and expenditures totaled \$3,345. The total expenses of the district were \$43,014. The net income for the year was \$628. Gary Wright motioned to approve the financial report as presented. Tom Blotter seconded the motion; which was unanimously approved.

Larry opened the floor for nominations for the advisory committee. Three advisory committee members are resigning today. Layne Hamilton nominated the following to serve on the advisory committee: Trish Arvey, Upper Blackfoot; Mark Pratt; Bob Reid; Marvin Yancey; and David Bollinger from BIA. John Heintzelman seconded the motion. LaVerl Stecklein moved to close nominations, Gary Wright seconded. The advisory board was unanimously approved.

James Cefalo provided legal updates for Water District 27. Recent updates to the objections in the SRBA include the state filing a motion for all water rights to be identified in Basin 27 that are protected in the Fort Hall Agreement, and the Tribes motion to look at and enforce the Equitable Adjustment. Dave Shaw recommended the water users review the list of water rights that are created in this process to make sure their water rights are included if they should be. There is a status conference scheduled for February 11th.

The 2011 Resolutions were then presented. Corrections were made to proposed resolution 2 for the budget to footnote the potential use of reserve funds for fuel costs if needed. Resolution 6-1 was modified to read "The advisory committee is to consist of 5 members geographically distributed to represent the interests within the district." Resolution 6-2 was modified to read "...District 27; except for the Designated Representative from Fort Hall." LaVerl Stecklein made a motion to approve the resolutions as amended. Mr. Wright seconded and the motion

passed.

There being no further business Layne Hamilton moved to adjourn the Water District 27 Annual Meeting, Bob Reid seconded the motion and the motion passed. The meeting adjourned at 2:35 pm.

Wendy Murphy
Wendy Murphy, Secretary

7/6/2011
Dated

1/10/2011 WDOT Annual Mtg

Name	Representing
Mary Wright	Self
Sullivan Wright	Self
Dean Wright	Self
Regenta Eschig	Sho-Bon Tribes Water Comm
Deanne L. Jans	Sho-Bon Tribes water Comm
Sherwin Racehorse, chair, SB TRIBES WATER COMM	
Ruster Sam Pauwsey TWR C. 239-4591	239-4591
Elise D. TETON	Sho-Bon TWRD 239-4580
Wes Hamilton	SELF
John Heintzelman	Self
Justin Skinner	NU-WEST Mining
Layne Hamilton	Smith Maxwell
Sid Thompson	Self
Cheryl Thompson	Self
Tina Cline	Self
Ken Davis	T-F RANCH
Becky Davis	TF Ranch / Reid
Brandon McKean	Fort Hall Irrigation
Kristie Charles	Fort Hall Irrigation Project
Jamie L. Jarvis	Fort Hall Irrigation
Wendy Pratt	Self
Robert Hoskins	Self
David Shaw	Ath. Gen Office
NEAL POWELL, Diane Powell	SELF
Walter Gay	Self
Irma Gay	Self

Martin Yancey
LaVelle Stecklein

Martin Yancey
Adrian Young

Grant Martin

James Cefalo

Wendy Murphy

DAVID BOLLINGER

ROBERT KELLER

Lytle Swank

BOB REID

Larry Hindman

GARY RUST

Reich Hausman

Peter Cooper

Lynn Keetch

Paul Reid

Clarice Villa

Harvey Coffman

Alan Keetch

Tom Blotter

Self - Riverbank

Self - Riverbank

Self - Central District

Eastern Idaho Water

²³⁴⁻⁴⁵⁸³
Shoshone Tribe

IDWR

WD27 / WD1

DOI - BIA FHIP

IDW / WD27 / WD1

WD1

WD 27

WD 27

WD 27

IDWR WD1 / WD27

Diamond Creek Reedy

Lower water user

TRWC

Self

Treasurer

Self

~~DRAFT~~
MINUTES OF THE REGULAR MEETING
OF THE WATERUSERS OF THE BLACKFOOT RIVER WATER DISTRICT #27
OF THE STATE OF IDAHO
HELD AT THE BINGHAM COUNTY COURTHOUSE
BLACKFOOT, IDAHO
JANUARY 11, 2010

Advisory committee chairman Larry Hinderager called the annual meeting of Water District 27 to order at 1:05 p.m. January 11, 2010.

LaVerl Stecklein nominated Larry Hinderager as meeting chairman, and Wendy Murphy as meeting secretary. The motion was seconded and approved.

Larry Hinderager introduced the attending advisory board members: Keith Hunsaker, Gary Pratt, Bob Reid and BIA representative, Dan Harolsen and Pete Cooper. Water District 1 representatives were: Lyle Swank, Watermaster; James Cefalo, Assistant Watermaster; and Wendy Murphy, Secretary. An attached roster shows all in attendance.

Minutes of the meeting held January 12, 2009 were read by Wendy Murphy. Lynn Keech moved to accept the minutes as read; LaVerl Stecklein seconded, and the minutes were unanimously approved.

The next item on the agenda was the Watermaster Report from Lyle Swank. The main duty of the watermaster is to deliver water to those who have water rights. Jeff Baldwin is the gage reader and hydrographer, Andrea Brooks was summer temp, James Cefalo assists the watermaster, and Wendy Murphy as the secretary; and Alan Kelsch as district treasurer. Lyle felt WD27 receives several benefits by contracting with WD1 such as vehicle and equipment use. The last season was a good water supply year. The reservoir carryover is pretty good this year. Lyle indicated the water supply is 105,000 acre-feet in the Blackfoot Reservoir more than last year at this time. The 2010 water supply so far the Snotel data shows a prediction for water supply to be 49% of Normal. The two snow courses relevant to the Blackfoot indicate 59% and 57% of Normal. Slug Creek's snow water equivalent is 4.9" of water content, as compared to last year's measurement of 8.6", or compared to the 30 year average is 8.9". Somsen's snow water equivalent is 3.7" of water content, last year it was 7.1" and the 30 year average is 6.7".

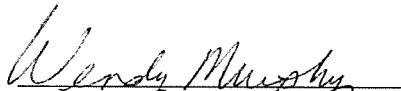
Lyle indicated a great deal of work has gone into resolving the 1990 Fort Hall Agreement's Equitable Adjustment. WD27 water users need to be able to continue to use their water rights and the 1990 Fort Hall Agreement needs to be complied with. Water users within Water District 1 created Mitigation, Inc. to mitigate the impacts of the change of the Fort Hall water right from 1891 to 1867. They do have a small amount of storage in Ririe Reservoir for this purpose.

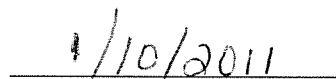
James Cefalo indicated over 300 measurements were completed in the WD27 delivery system. June rains allowed diversions to be down. Basin wide diversion totals was about 50,000 acre-feet for 2009. About 10,000 acre-feet diverted were in excess of the adjudication recommended water rights; this is about 20% of water used in basin 27. When these rights are decreed, a reduction in

not put volume limitations on claims in any other basin in the state and is hesitant of doing so. As negotiations to settle these objections move forward BIA has asked to resolve some other issues. One of the issues is the Blackfoot River Management Plan. This was asked for in the 1990 Fort Hall Agreement. The main request for the WD27 users through this plan is to have larger ditches install data loggers which measure the flow of the water every 15 minutes. The other issue they have asked to be resolved is the Equitable Adjustment provision. In the 1990 Fort Hall Agreement the tribe was given an 1867 water right, which is senior to all water rights in the basin. The tribe also agreed to subordinate this right to the Blackfoot River water users with some additional language indicating their usage to be estimated at 45,000 acre-feet. If that is not the case there will be an equitable adjustment. The decreed rights could total about 50,000 acre-feet. The question before the WD27 advisory board is to determine what the water users of Water District 27 can do to solving the equitable adjustment.

Larry Hinderager introduced Don Hale from the Committee of Nine and Dave Shaw who is with the Attorney General's Office. They have been working on resolving the equitable adjustment.

There being no further business LaVerl moved to adjourn the Water District 27 Annual Meeting, Marvin Yancey seconded the motion and the motion passed. The meeting adjourned at 2:05 pm.


Wendy Murphy, Secretary


Dated